

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367

Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-06-302/317

Beginning Date: August 31, 2006
Comments Due: September 30, 2006

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-06-302/317

Pending Permits for Confined Feeding Facilities

| Name And Address of Applicant | Legal Description | Receiving Water |
|--|--|------------------------|
| Cattle Empire, LLC #2 Route 1 Box 109A Satanta, KS 67870 | Section 25 T28S, R34W Haskell County | Cimarron River Basin |

Kansas Permit No.: A-CIHS-C007

Federal Permit No.: KS0088391

This is a permit modification for an existing facility for 84,500 head (84,500 animal units) of beef cattle weighing greater than 700 pounds. An extraneous drainage structure will be constructed to prevent fresh water from entering Retention Control Structures 2 and 3.

Cattle Empire, LLC #3
Roy Brown
Rt 1 Box 109A
Satanta, KS 67870

E/2 of Section 33
T30S, R34W
Haskell County

Cimarron River Basin

Kansas Permit No.: A-CIHS-C010

Federal Permit No.: KS0093611

This is a renewal permit with modification for an existing facility for 34,000 head (34,000 animal units) of beef cattle weighing more than 700 pounds. Permit modification is due to a pen density increase of 2,000 head of cattle. No new construction of pens or the animal waste management system is proposed.

Nelson Farms, Inc.
Terry Nelson
1271 W. Fox Road
Long Island, KS 67647

SW/4 of Section 04
T02S, R20W
Phillips County

Upper Republican
River Basin

Kansas Permit No.: A-URPL-C002

Federal Permit No.: KS0098191

This is a new permit for an existing facility for 800 head (800 animal units) of cattle weighing more than 700 pounds and 800 head (400 animal units) of cattle weighing 700 pounds or less, for a total of 1,200 animal units. The wastewater retention structure will be enlarged by raising the embankment approximately 4 feet in elevation.

Eggerman & Nelson
J. Wendall Eggerman
17833 Lasita Road
Green, KS 67447

SE/4 of Section 25
T06S, R04E
Riley County

Big Blue River Basin

Kansas Permit No.: A-BBRL-S012

This is a renewal permit for an existing facility with a maximum capacity for 1,500 head (600 animal units) of swine weighing more than 55 pounds and 1,000 head (100 animal units) of swine weighing 55 pounds or less for a total of 700 animal units.

Zoltenko Farms, Inc.
James A. Zoltenko
PO Box 39
Hardy, NE 68943

NW/4 of Section 19
T01S, R05W
Republic County

Lower Republic
River Basin

Kansas Permit No.: A-LRRP-S025

This is a renewal permit for an existing facility for 720 head (288 animal units) of swine weighing more than 55 pounds.

Phillip Metsker Farms
796 N 600 Rd.
Lawrence, KS 66047

SE/4 of Section 13
T14S, R18E
Douglas County

Kansas River Basin

Kansas Permit No.: A-KSDG-S006

This is a renewal permit for an existing facility with a maximum capacity of 500 head (200 animal units) of swine weighing more than 55 pounds and 50 head (5 animal units) of swine weighing 55 pounds or less for a total of 550 head (205 animal units) of swine.

Darwin Carswell
2386 West 60th Drive
Alton, KS 67623

SW/4 of Section 31
T06S, R14W
Osborne County

Solomon River Basin

Kansas Permit No.: A-SOOB-B006

This is a renewal permit for an existing facility for 250 head (125 animal units) of cattle weighing 700 pounds or less and 500 head (500 animal units) of cattle weighing greater than 700 pounds each for a total of 750 head (625 animal units).

Haverkamp Brothers, Inc.
Alan Haverkamp
2964 L4 Road
Bern, KS 66408

W/2 of NE/4 of Section 12
T01S, R12E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S036

This is a renewal permit for an existing facility for a maximum of 1,807 head (722.8 animal units) of swine greater than 55 pounds and 2,740 head (274 animal units) of swine 55 pounds or less for a total of 996.8 animal units.

Reeve Cattle Co., Inc
Lee Reeve
PO Box 1036
Garden City, KS 67846

E/2 of Section 13
T25S, R33W
Finney County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAFI-C018

Federal Permit No.: KS0091731

This is a renewal permit for an existing facility for 35,000 head (35,000 animal units) of cattle weighing more than 700 pounds.

Randy and Denise Shadle
2145 Hackberry Road
Morganville, KS 67468

SE/4 of Section 19
T07S, R02E
Clay County

Lower Republican
River Basin

Kansas Permit No.: A-LRCY-S041

This is a renewal permit for an existing facility for 274 head (109.6 animal units) of swine weighing more than 55 pounds and 640 head (64 animal units) of swine weighing 55 pounds or less for a total of 914 head (173.6 animal units) of swine.

Dennis Boller
5926 Barr Road
Junction City, KS 66441

SW/4 of Section 26
T11S, R06E
Geary County

Kansas River Basin

Kansas Permit No.: A-KSGE-S005

This is a renewal permit for an existing facility with a maximum capacity of 52 head (20.8 animal units) of swine each weighing more than 55 pounds and 250 head (25 animal units) of swine each weighing 55

pounds or less for a total of 302 head (45.8 animal units) of swine.

Levin Farms
Steven Levin
PO Box 325
Kensington, KS 66951

NW/4 & W/2 of NE/4
of Section 04
T04S, R15W
Smith County

Solomon River Basin

Kansas Permit No.: A-SOSM-B017

This is a renewal permit for an existing facility for 990 head (495 animal units) of cattle weighing 700 pounds or less each.

Meyer Brothers
Carl Meyer
5658 W 201st
Osage City, KS 66523

SE/4 of Section 36
T15S, R14E
Osage County

Marais des Cygnes
River Basin

Kansas Permit No.: A-MCOS-B003

This is a renewal permit for an existing facility for a maximum of 630 head (630 animal units) of beef cattle greater than 700 pounds. The permit includes capacity for 130 head of cattle in the two seasonal lots that were not included in the previous permit.

Bohnen Cattle Company
Bruce M. Bohnen
19623 Grant
Dorrance, KS 67634

SW/4 of Section 10
T14S, R12W
Russell County

Smoky Hill River Basin

Kansas Permit No.: A-SHRS-B002

This is a renewal permit with modification for an existing facility for 800 head (400 animal units) of cattle weighing less than 700 pounds. Modification is to include proposed construction of pollution controls that were included in the previous permit but not constructed.

Chaffee Farm
Gary Chaffee
2008 11th Road
Clay Center, KS 67432

NW/4 of Section 17 &
NE/4 of Section 18
T09S, R04E
Clay County

Lower Republican
River Basin

Kansas Permit No.: A-LRCY-S022

This is a renewal permit for an existing facility for 1,920 head (768 animal units) of swine each weighing more than 55 pounds. The facility is downsizing and discontinuing the use of a partially enclosed swine-finishing floor.

Graff and Sons, Inc.
Gary Graff
RR 1 Box 3

SE/4 of Section 34
T18S, R35W
Wichita County

Upper Arkansas
River Basin

Marienthal, KS 67863

Kansas Permit No.: A-UAWH-B001

This is a renewal permit for an existing facility for 950 head (950 animal units) of cattle weighing more than 700 pounds.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **September 30, 2006**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-302/317) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.